



# भारत का राजपत्र The Gazette of India

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EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

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NEW DELHI SATURDAY, NOVEMBER 11, 1989/KARTIKA 20, 1911

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन  
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 11th November, 1989/ Kartika 20, 1911 (Saka)

The following President's Act is published for general information:—

THE PUNJAB AGRICULTURAL PRODUCE MARKETS  
(SECOND AMENDMENT) ACT, 1989

No. 5 of 1989

Enacted by the President in the Fortieth Year of the Republic  
of India

An Act further to amend the Punjab Agricultural Produce Markets  
Act, 1961.

24 of 1987

In exercise of the powers conferred by section 3 of the Punjab State  
Legislature (Delegation of Powers) Act, 1987, the President is pleased  
to enact as follows:—

1. (1) This Act may be called the Punjab Agricultural Produce  
Markets (Second Amendment) Act, 1989.

Short  
title and  
commence-  
ment.

(2) It shall come into force at once.

Punjab  
Act 23  
of 1961.

2. In the Punjab Agricultural Produce Markets Act 1961 (herein-  
after referred to as the principal Act), in section 3, in sub-section (8), in  
the proviso, for the words "two years and six months", the words "three  
years" shall be substituted

Amend-  
ment of  
section 3



Amend-  
ment of  
section  
12-C

3. In section 12-C of the principal Act, in the proviso, for the words "two years", the words "two years and six months" shall be substituted.

R. VENKATARAMAN,  
*President.*

V. S. RAMA DEVI,  
*Secy. to the Govt. of India*



*Reasons for the enactment*

The Market Committees in the State, nominated in accordance with the provisions of the Punjab Agricultural Produce Markets Act, 1961, were not representative bodies and were not serving the best interests of the State due to party faction and gross mismanagement. By the Punjab Agricultural Produce Markets (Amendment) Act, 1987 (President's Act 3 of 1987), the nominated Market Committees in the State were superseded and the State Government Officers were appointed as Administrators to perform the functions of the Market Committees and their Chairman, etc., for a period of one year, that is to say, up to the 16th November, 1988, and further extended from time to time up to the 15th November, 1989. Under the circumstances prevailing in the State it is not possible to hold elections to the Market Committees and it is, therefore, proposed to amend the Punjab Agricultural Produce Markets Act, 1961, to enhance the period of reconstitution by six more months.

2. The Punjab State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961, was suspended by the State Government with effect from the 19th June, 1987, under the powers conferred on it by sub-section (8) of section 3 of the Act and the Financial Commissioner Development and Secretary to Government, Department of Agriculture, Punjab, was appointed to exercise the functions of the Board and its Chairman till such time as the new Board is constituted. Originally, the Board had to be constituted within six months from the date of its suspension. However, keeping in view the prevailing circumstances in the State of Punjab and to ensure administrative pattern conducive to the requirements under the said circumstances, it was considered necessary to enhance the period of constitution of the said Board from time to time. This period comes to an end on the 18th December, 1989. The circumstances which led to the passing of President's Act 3 of 1989 remain unchanged. Further, a comprehensive administrative reorganisation is being undertaken in the Board to prevent the recurrence of the circumstances leading to its suspension.

3. The Government have, therefore, decided to enhance the period of constitution of the Agricultural Marketing Board from two years and six months to three years and the reconstitution of the Market Committees from two years to two years and six months by amending section 3 and section 12-C, respectively, of the Punjab Agricultural Produce Markets Act, 1961, suitably for this purpose.

4. Parliament has under article 257(1)(a) of the Constitution conferred on the President the power of the legislature of the State of Punjab to make laws *vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall.



before enacting any President's Act, whenever he considers it practicable to do so, consult the Committee constituted for the purpose consisting of the Members of both the Houses of Parliament. In view of the urgency of the matter, it is not practicable to consult the Committee. This Bill is, accordingly, being enacted without reference to the Committee.

V. C. PANDE

*Secretary to the Govt. of India*  
(Department of Rural Development)